

LAW OFFICES OF
JEFFREY LICHTMAN
750 LEXINGTON AVENUE
15TH FLOOR
NEW YORK, NEW YORK 10022
www.jeffreylichtman.com

JEFFREY LICHTMAN
JEFFREY EINHORN

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U.S. DISTRICT COURT E.D.N.Y.

★ **AUG 02 2012** ★

BROOKLYN OFFICE

PH: (212) 581-1001

FX: (212) 581-4999

July 27, 2012

BY ECF

Hon. Jack B. Weinstein
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: **United States v. Frank DiMattina, 11 CR 705 (JBW)**

Dear Judge Weinstein:

I am writing on behalf of defendant Frank DiMattina to respectfully request a modification of his bail conditions which would permit him to attend a family vacation from August 11 to 18 in New Jersey. Should Your Honor grant this request, Mr. DiMattina will be staying with his wife and children at a rented cottage, located at 24 East Marlin Way in Lavallette. While at this location, the defendant will remain in telephonic contact with pretrial services. AUSA Jack Dennehy and Pretrial Services Officer Anna Lee have both consented to this request.

By way of background, on March 30, 2012, the Court granted Mr. DiMattina bail pending his appeal secured by a \$2 million bond. While he was initially placed on house arrest, the Court modified Mr. DiMattina's bail conditions on June 14, 2012 and granted him a general curfew subject to the control of Pretrial Services. This arrangement presently allows him to be free from 8:30 a.m. until 3:00 a.m. from Thursday through Saturday, and 8:30 a.m. through 12:00 a.m. from Sunday through Wednesday.

*The response of
the U.S. Atty is
respectfully
requested.
S ordered
7/27/12*

8

JEFFREY LICHTMAN

Hon. Jack B. Weinstein
United States District Judge
July 27, 2012
Page 2

Thank you for your consideration on this application; I am available at your convenience for a conference should Your Honor deem it necessary.

Respectfully submitted,



Jeffrey Lichtman

cc: Jack Dennehy, Esq. (by ECF)
Assistant United States Attorney

Anna Lee, Pretrial Services (by email)

So Ordered:

Hon. Jack B. Weinstein, U.S.D.J